

UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: AMANDA LOUISE BUSKIRK and : CHAPTER 13  
JAKE CURTIS BUSKIRK :  
Debtor(s) :  
 :  
CHARLES J. DEHART, III :  
STANDING CHAPTER 13 TRUSTEE :  
Movant :  
 :  
vs. :  
 :  
AMANDA LOUISE BUSKIRK and :  
JAKE CURTIS BUSKIRK :  
Respondent(s) : CASE NO. 5-18-bk-03897

TRUSTEE'S OBJECTION TO CHAPTER 13 PLAN

AND NOW, this 29<sup>th</sup> day of October, 2018, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)' plan for the following reason(s):

1. Debtor(s)' plan violates 11 U.S.C. Sec. 1325(a)(4) in that the value of property to be distributed under the plan on account of each allowed unsecured claim is less than the amount that would be paid on such claim if the estate were liquidated under Chapter 7. More specifically, debtor's have excess non-exempt equity in the following:

a. Residential real estate.

2. The Trustee avers that debtor(s)' plan is not feasible based upon the following:

a. The plan is underfunded relative to claims to be paid – 100% plan.

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

/s/Charles J. DeHart, III  
Standing Chapter 13 Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036  
(717) 566-6097

CERTIFICATE OF SERVICE

AND NOW, this 2nd day of November, 2018, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Patrick Best, Esquire  
18 N. 8<sup>th</sup> Street  
Stroudsburg, PA 18360

/s/Deborah A. Behney  
Office of Charles J. DeHart, III  
Standing Chapter 13 Trustee